

ORDINANCE NO. _____

AN ORDINANCE AMENDING CITY CODE SECTION 12-5-12 TO ESTABLISH COMMERCIAL VEHICLE LOADING RESTRICTIONS AND 12-5-90 TO ESTABLISH A CIVIL FINE STRUCTURE FOR VIOLATIONS OF THESE RESTRICTIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. City Code Section 12-5-12 is amended to read:

§ 12-5-12 COMMERCIAL VEHICLES LOADING OR UNLOADING FROM A METERED SPACE, COMMERCIAL LOADING ZONE, OR CURB-SIDE TRAVEL LANE.

(A) This section applies to commercial vehicles loading or unloading within the Downtown Austin Project Coordination Zone, as defined in the Austin Utilities Criteria Manual, Monday through Saturday, except for on a roadway or facility within the jurisdiction of the State of Texas, including but not limited to the University of Texas campus; the Capitol Complex bounded by Lavaca Street, Martin Luther King, Jr. Boulevard, Trinity Street, and 10th Street.

(B) The director of the Austin Transportation Department may issue a permit to an owner of a commercial vehicle to allow the use of the vehicle to conduct loading or unloading activities from a metered space, commercial loading zone, or curb-side travel lane.

~~[(C) Permits issued under Subsection (B) of this section:~~

~~(1) must be visible in the commercial vehicle at the time of loading or unloading; and~~

~~(2) may not allow deliveries from locations where there is only a single lane in one direction or from a transit priority lane;~~

~~(3) may not allow deliveries from locations where bicycle lanes would be inaccessible to bicycle riders during loading or unloading.]~~

(C) The owner of a commercial vehicle is in violation of this section if the owner or the owner's designee:

(1) conducts loading or unloading activities without a valid permit, unless the commercial vehicle is:

(a) parked in a designated commercial loading zone for less than the amount of time allowed, as specified on the sign for that area; or

(b) parked in a metered parking space regulated by the City and the meter fee has been paid;

(2) fails to adhere to the loading or unloading hours restrictions imposed by the director under Subsection (E) of this section;

(3) conducts loading or unloading activities for longer than the amount of time allowed by the permit;

(4) blocks any portion of an adjacent travel lane while conducting loading or unloading activities from a curb-side travel lane;

(5) blocks any portion of a designated bike lane while conducting loading or unloading activities;

(6) conducts loading or unloading activities in an area reserved by the City for special event parking;

(7) fails to display the permit issued under Subsection (B) in a location where the entire permit may be easily read from outside the vehicle;

(8) conducts loading or unloading activities from a travel lane, if it is the single travel lane moving in that direction; or

(9) conducts loading or unloading activities in a manner that violates existing City parking regulations, including, but not limited to, blocking crosswalks, alleys, or handicapped parking spaces.

(D) Fees for permits issued under Subsection (B) of this section shall be established by separate ordinance.

(E) In order to minimize impacts to congestion during peak traffic hours,
[F]the [D]director shall limit the hours of permitted loading and unloading activities[~~in order to minimize impacts to congestion during peak traffic hours~~] from a curb-side travel lane.

City Code Section 12-5-90 (*Civil Fines, Costs, and Fees*) is amended to add the following violations and fines:

- Commercial Vehicle Loading or Unloading - Without a Permit
 - Standard Fine \$500
 - Early Payment Fine \$250
- Commercial Vehicle Loading or Unloading - Restricted Hours or Area
 - Standard Fine \$300

- Early Payment Fine \$150
- Commercial Vehicle Loading or Unloading - Beyond Time Limit
 - Standard Fine \$300
 - Early Payment Fine \$150
- Commercial Vehicle Loading or Unloading - Adjacent Lane Obstruction
 - Standard Fine \$300
 - Early Payment Fine \$150
- Commercial Vehicle Loading or Unloading – Bike Lane Obstruction
 - Standard Fine \$300
 - Early Payment Fine \$150
- Commercial Vehicle Permit - Not Properly Displayed
 - Standard Fine \$300
 - Early Payment Fine \$150
- Commercial Vehicle Loading or Unloading – Single Travel Lane
 - Standard Fine \$300
 - Early Payment Fine \$150

PART 2. This ordinance takes effect on _____, 2015.

PASSED AND APPROVED

_____, 2015

§
§
§

Steve Adler
Mayor

APPROVED: _____
Karen M. Kennard
City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk